

**PLANNING AND ZONING**  
**December 15, 2010**

A meeting of the Planning and Zoning Commission of the Town of Trumbull was held in the Council Chambers of the Trumbull Town Hall on Wednesday, December 15, 2010.

Attendance: Anthony Chory, Christopher Costa, Arlyne Fox, Fred Garrity, Jr. and alternates Steven Mahlstedt, Don Scinto and Tony Silber

Also Present: Bill Levin, Town Planner; Robert Nicola, Town Attorney and Stephen Savarese, Town Engineer

Tonight's meeting was chaired by Commissioner Chory.

The following is a brief summary of the meeting. The complete record is on tape, on file, in the office of the Planning and Zoning Commission.

A quorum being present the Chairperson called the meeting to order at 6:50 p.m.

Prior to the Public Hearing, a pre-application review was held relating to a potential 141 unit apartment complex on the corner of Reservoir Ave. and Lindeman Dr. Alternate member Don Scinto recused himself from participation in this discussion and left the room, indicating that he is an associate of the petitioner.

Attorney Joel Green conducted the presentation on behalf of the petitioner, Mark Appleberg. Mr. Green informed that based on extensive research and the state of the economy, it was determined that a multi-family development was the best use for this property.

This area of town is in need of development and an apartment complex would provide housing opportunities in a variety of ways. The project would also assist in meeting the State's affordable housing requirements. The units will be broken down into 73 one bedroom apartments and 62 with two bedrooms. Rents would range from approximately \$1,100 to \$1,500 a month. A Rutgers study, which estimated occupants of new housing relative to residents and school-age children, was submitted. Based on this study, 17 school-aged children can be expected from this development.

A letter from the Town's Economic Development Commission presenting their thoughts and questions regarding this proposal was read and entered into the record.

The Town Planner commented that there is, at present, no zone available to support this type of project and that a new zone would have to be created. He indicated that an affordable housing component would be advisable. Feedback from the Commission included concerns relating to density issues, parking, amenities for children and the loss of industrial space. The number of expected school-aged children was also questioned, as being too low.

This concluded the pre-application discussion and Commissioner Scinto returned to the meeting.

## **PUBLIC HEARING**

### **SPECIAL PERMIT**

Application #10-33 – City of Bridgeport, Fairchild Memorial Park and Road

Pursuant to Art. II, Sec. 1.3.4 and Art. XV, Special Permit to construct a multi-magnet high school. HEARING CONTINUED FROM DECEMBER 2, 2010.

Application #10-34 – City of Bridgeport, Fairchild Memorial Park and Road

Pursuant to Art. IX and Art. XV, Special Permit for excavation, removal, regrading and refilling of earthen material in conjunction with construction of multi-magnet high school. HEARING CONTINUED FROM DECEMBER 2, 2010.

### **ZONING AMENDMENT**

Application #10-38 – Amending Art. II, Sec. 1.1.4.4, 1.2.4.4 and 1.3.4.4 of the Zoning Regulations of the Town of Trumbull to permit limited design flexibility regarding building height, signs and parking spaces for non-profit schools on sites of 25 acres or more. Petitioner: City of Bridgeport HEARING CONTINUED FROM DECEMBER 2, 2010.

The Chairperson announced that as Applications #10-33, #10-34 and #10-38 are interrelated they would be heard concurrently.

Claire Gold, the project's Education Consultant, appeared and read, for the record, letters of support from Greg C. Hatzis, 15 Barry Place and Diane Wheeler of 184 Hilltop Circle.

The applicant's attorney, Robert Berchem, presented documentation, from the Court of Probate, approving the use of the restricted park land for educational purposes.

The next speaker, Mark Vertucci, P.E. of Fuss & O'Neill, informed that, at the request of the Planning and Zoning department, he conducted a review of the Traffic Access & Impact Study generated by the applicant.

Mr. Vertucci recommendations applied to safety improvements, signal/timing modifications and sight distance concerns. Traffic operation on Old Town Road was identified as being the main area of concern.

Attorney Berchem, the applicant's representative, noted that the traffic analysis, as prepared by Frederick P. Clark Associates, has been approved by the State Department of Transportation.

Pat McCarty, of the Trumbull Center Fire District, informed that the Fire Department is seeking a legal opinion, as to whether first responder status can be turned over to the City of Bridgeport. Mr. McCarty indicated that Trumbull is equipped to handle the additional emergency services that would be generated by the proposed school.

Commissioner Garrity commented and Attorney Berchem indicated agreement, that all emergency services should come from the same municipality.

The project engineer, Robert Pryer, submitted and reviewed a copy of his letter to the Town Engineer, Stephen Savarese, which addressed top soil, sand and gravel requirements contained in Art. IX and X of the zoning regulations.

Mr. Savarese indicated that the applicant has done due diligence with respect to those requirements.

A detailed plan relative to grading, rock removal, construction time line and the project's three phases was submitted for the record. All crushed materials were to be utilized on site.

Noise levels were then addressed. Mr. Pryer indicated that the hours of construction operation would be 9:00 a.m. to 3:30 p.m. Blasting and crushing operations were limited to between 9:00 a.m. and 4:00 p.m. Noise levels as a result of blasting operation would carry a dB rating of 64 at a distance of 260' from the property line. Mr. Pryer indicated that these noise levels would not be intrusive to neighborhood properties.

A revised landscape plan, approved by the Town Tree Warden, was then submitted.

Input was then requested of the Town Planner who commented that the proposed location conflicts with the goals and principals of Trumbull's Plan of Conservation and Development.

#### Public Comment

The following spoke in favor citing job opportunities and education advantages for Bridgeport and the surrounding communities.

Pablo Jiminez, 7 Leighton Road; Joe Amrosini, 11 Gorham Place; Craig Metz, 28 Hilltop Drive; Susan Perun, 10 Maple Street; Daniel McInerney, 90 Canoe Brook Road; Bill Cole, 575 Booth Hill Road; David Seagren, 6 Pamona Road; Peter Carroll, 18 Fowler Road, Stratford; Kevin Mulligan, 10 Oxen Hill Road and Glenn Marshal of Milford.

Opposed – Gary Thoma, 24 Wilson Avenue. Mr. Thoma submitted a petition asking that the Commission make certain that all safety, traffic and security needs have been met. The petition also requested that a security fence be constructed between the school and the neighboring streets.

Attorney Berchem concluded with assurances that there were no issues of concern that could not be resolved and that the proposed plan demonstrates that the property can be safely developed. He submitted and read for the record a letter from the Mayor of Bridgeport, Bill Finch, emphasizing that Trumbull would incur no cost, as a result of this project.

He then requested and the Commission agreed, to hold the record open to allow for the receipt of documentation outlining the parameters of the inter-municipal relationship between Bridgeport and Trumbull.

Attorney Berchem also asked for confirmation that Commissioner Deecken would not be participating in the action phase for these applications. Commissioner Deecken stated for the record that, on the advice of council, he would not be voting on this proposal.

Responding to an inquiry pertaining to the traffic analysis, Mr. Berchem informed that a traffic study would be conducted once the school is opened to confirm that traffic operations are functioning properly.

Upon inquiry, Claire Gold indicated that the number of participating students from Trumbull could be increased. Attorney Berchem interjected that he would obtain written confirmation from Bridgeport and it was agreed that the record also be kept open for receipt of this item.

In addressing security for the adjacent neighbors, Mr. Berchem informed that the applicant would be agreeable to a condition of approval ensuring that pedestrian traffic does not encroach upon adjacent properties.

Application #10-43 – Bridgeport Board of Realtors, 140 Monroe Turnpike

The Town Planner informed that the application has been withdrawn.

Application #10-45 – GPR, LLC, 17 Church Hill Road

Pursuant to Art. II, Sec. 2.1 and Art. XV, Special Permit to construct a two-story medical office building (existing structure to be removed) on property located within an existing Professional Overlay Zone.

Attorney John Fallon represented the applicant. Dr. Robert Patrignelli, M.D. was identified as the property owner and applicant. The proposed medical building would house his medical practice, a permitted use under the regulations.

The proposed 7,000 sq. ft structure is located within an approved Professional Office Overlay Zone. The submitted plan indicated that the building would be constructed basically within the same footprint, as the existing bank. The structure would be utilized solely for medical offices for Dr. Patrignelli and a tenant physician.

The traffic analysis, prepared by Federick P. Clark & Associates, confirms that there are no adverse impacts associated with the proposed use. Parking will be located in back of the building and will not be visible from Church Hill Road. It was noted that no activity would be generated from this location on evenings, holidays and weekends.

Joseph Mingoello of Mingoello & Hayes Architects detailed the building design. He described the building as being New England in style and in harmony with the other structures within the area. Mr. Mingoello informed that in response to the Commission's feedback the height of the building has been reduced by three feet.

As no signage plan was presented for review, the applicant agreed to come back before this Board once a plan is available.

The Town Planner indicated that the proposal, as presented, conforms to zoning regulations. He noted that site and landscaping bonds have been requested.

#### Public Comment

Deborah Cox, Director of Economic Development, spoke in favor.

#### ZONING AMENDMENT

Application #10-38 – Amending Art. II, Sec. 1.1.4.4, 1.2.4.4 and 1.3.4.4 of the Zoning Regulations of the Town of Trumbull to permit housing for attending students in buildings located on the same property as school buildings. Petitioner: St. Joseph's High School. HEARING CONTINUED FROM NOVEMBER 17, 2010.

Attorney Raymond Rizio was the representative for St. Joseph's High School. Mr. Rizio informed that a text amendment is required to be able to provide housing for the school's foreign exchange students. The applicant's objective was to convert the existing convent into student housing.

Submitted into the record were photographs of the site area, a copy of the proposed amendment, a map indicating the location of the on-site convent and literature pertaining to the high school.

Attorney Rizio then detailed the provisions contained in the proposed amendment. Possible noise concerns were addressed with a required 100' setback from any residential property. To qualify for conversion, buildings must be existing and on the same property. They must also be currently used as housing for affiliated personnel.

Upon inquiry, Mr. Rizio informed that the building would be supervised on a 24 hour basis by two adults.

Bill Fitzgerald, President of St. Joseph's High School, informed that eighteen students would be housed on campus.

Commissioner Garrity presented a minor revision to the text of the proposed amendment for consideration. Attorney Rizio indicated that the revised language would be acceptable, as a condition of approval.

This concluded the Public Hearing.

At this point Commissioner Costa exited the meeting. Alternate Tony Silber was designated as the fifth voting member for tonight's meeting.

### **Schedule 2011 Meeting Dates**

MOTION MADE (Fox), seconded (Silber) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve the 2011 meeting dates, as presented. A proposed change to the starting time to be revisited at a later date.

### **Election of Officers**

Chairman

Commissioner Chory nominated by Commissioner Deecken with a seconded from Commissioner Fox.

Commissioner Garrity nominated by Commissioner Silber with a second from Commissioner Garrity.

Vote: Commissioner Chory elected Chairman 3 (Chory, Fox, Deecken) to 2 – (Garrity, Silber)

Vice-Chairman

Arlyne Fox nominated by Commissioner Deecken with a second from Commissioner Garrity. There being no further nominations Arlyne Fox elected Vice-Chairman.

Secretary

Richard Deecken nominated by Commissioner Fox with a second from Commissioner Silber. There being no further nominations Richard Deecken elected Secretary.

Representative to the Inland Wetlands and Watercourses Commission

Arlyne Fox nominated by Commissioner Deecken with a second from Commissioner Silber. There being no further nominations Arlyne Fox elected as the Planning and Zoning representative to the IWWC.

### **Approval of Minutes**

MOTION MADE (Fox), seconded (Silber) to approve the minutes of the regular meeting of November 17, 2010 and the Special Meetings of November 30, 2010 and December 2, 2010.

Vote: In Favor (4): Chory, Fox, Garrity Silber / Abstention (1): Deecken  
Commissioner Deecken abstained, as he was not seated at the time of the subject meetings.

### **Request for Bond Release**

Commissioner Deecken informed that he would not be participating on this agenda item. Alternate Steven Mahlstedt was designated as the fifth voting member for this item.

Glenn Tatangelo – Application #10-14  
222 Stonehouse Road

Correspondence from the Town's Road Inspector, indicated that two bonded items remain incomplete. Mr. Sliva's recommended that the bond be reduced and that an amount of \$1,906.93 be retained.

MOTION MADE (Garrity), seconded (Mahlstedt) and unanimously carried (Chory, Fox, Garrity, Mahlstedt, Silber) to approve a \$5,453.07 reduction in the site bond for Application #10-14, with a balance of \$1,906.93 being retained.

### **Pending Applications**

Upon review, the Commission took action on the following applications.

Application #10-45 – GPR, LLC, 17 Church Hill Road

MOTION MADE (Garrity), seconded (Deecken) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to approve Application #10-45.

Application #10-44 – Amending of Art. II, Sec. 1.1.4.4, 1.2.4.4 and 1.3.4.4 of the Zoning Regulations of the Town of Trumbull.

MOTION MADE (Fox) and seconded ((Silber) to approve Application #10-44.

MOTION MADE (Garrity), seconded (Silber) and unanimously carried (Chory, Deecken, Fox, Garrity, Silber) to modify the text as follows.

In addition, buildings in existence on the effective date of this amendment and used as housing for such affiliated personnel, may be converted to housing for students attending school located on the same property as the school buildings. No building used for student housing shall be located closer than one hundred (100) feet from any property line.

Vote (Original Motion As Amended) – Unanimous (Chory, Deecken, Fox, Garrity, Silber) MOTION CARRIED

There being no further business to discuss, a motion was made by Commissioner Fox and seconded by Commissioner Deecken to adjourn. The December 15, 2010 meeting of the Planning and Zoning Commission adjourned at 11:45 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog  
Clerk of the Planning and Zoning Commission



